

Message

From: Kupchan, Simma [Kupchan.Simma@epa.gov]
Sent: 12/18/2018 9:05:19 PM
To: Hurlid, Kathy [Hurlid.Kathy@epa.gov]; Hicks, Matt [Hicks.Matthew@epa.gov]
CC: Wade, Alexis [Wade.Alexis@epa.gov]; Calli, Rosemary [Calli.Rosemary@epa.gov]; McDavit, Michael W. [Mcdavit.Michael@epa.gov]
Subject: RE: Basic 404 paper for your review if you have time

Thanks! Very helpful.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Hurlid, Kathy
Sent: Monday, December 17, 2018 6:12 PM
To: Hicks, Matt <Hicks.Matthew@epa.gov>
Cc: Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>
Subject: Re: Basic 404 paper for your review if you have time

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Dec 17, 2018, at 4:03 PM, Hicks, Matt <Hicks.Matthew@epa.gov> wrote:

Looks good to me based on my quick review.

From: Kupchan, Simma
Sent: Monday, December 17, 2018 3:50 PM
To: Wade, Alexis <Wade.Alexis@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>
Cc: Hurlid, Kathy <Hurlid.Kathy@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>
Subject: Basic 404 paper for your review if you have time

<< File: 404 summary for DOI.docx >>

Attached is a draft one pager that responds to Matt's and David's request for relevant background on 404. Comments welcome, but it's pretty basic, so no need to review if you all are busy. Alexis, feel free to send to Carrie whenever you have reviewed – I can update any time with comments anyone else sends.

Thanks for your attention.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Wade, Alexis

Sent: Thursday, December 13, 2018 10:13 AM

To: Hicks, Matt <Hicks.Matthew@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>

Subject: RE: call with DOI today

THANK YOU! I think if we could have maybe one or two bullets on the FL MOA in the context of how assumption works, and generally what the MOA says, that would be great.

Alexis Wade
Attorney-Adviser
Water Law Office
EPA Office of General Counsel
(202) 564-3273

From: Hicks, Matt

Sent: Thursday, December 13, 2018 10:12 AM

To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>

Subject: RE: call with DOI today

Sounds good. Rosemary is helping out with the 5-way MOA one-pager and we should hopefully have you something this afternoon.

From: Kupchan, Simma

Sent: Thursday, December 13, 2018 10:09 AM

To: Hicks, Matt <Hicks.Matthew@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>

Subject: RE: call with DOI today

Thanks, Matt; that would be great. I think the 5-way. I will work with Kathy to develop the 404 one-pager by early next week. We don't have a canned one-pager but we have materials we can draw from.

Simma Kupchan
EPA Office of General Counsel
Water Law Office

WJC North Building # 7426Q
202-564-3105

From: Hicks, Matt

Sent: Thursday, December 13, 2018 9:31 AM

To: Wade, Alexis <Wade.Alexis@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>

Subject: RE: call with DOI today

I'm on leave tomorrow but may have some time today to put together a one-pager on the 404-specific MOA. To be clear, are we talking about the 5-way MOA or the EPA/FDEP MOA?

From: Wade, Alexis

Sent: Wednesday, December 12, 2018 6:39 PM

To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>

Subject: call with DOI today

Hi all – I was on the call with Matt and David with DOI to talk about the Florida MOA. Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP

Matt and

David asked for a 1 pager that could explain 404 at a high level (e.g. what is section 404, how assumption works, describe the MI and NJ MOAs, summarize the regulations and objection process) and another 1-pager that summarizes the MOA. Matt said we would get this to them as soon as possible, ideally by early next week.

Do we have anything already drafted that would help with the 404-specific MOA? I am very pressed for time right now and if anyone has extra time that they could devote to summarizing the MOA, I would appreciate the help. If not, I'll try to squeeze it in.

Thanks,
Alexis

Alexis Wade
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